

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**DARYL R. WILSON, SR.,**

**Defendant.**

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**CRIMINAL NO. 05-30031-WDS**

**ORDER**

**STIEHL, District Judge:**

This matter is before the Court on defendant's motion to produce certain witnesses at the hearing on the defendant's motion to suppress which the Court has construed as a motion. The government has filed a response to the motion.

In his motion to produce, the defendant lists three DEA special agents, seven deputy United States Marshals and a Task Force Detective, all of whom he indicates are necessary for a determination of the issue of voluntariness of the defendant's statements. In its response, the government has stated that it will present the evidence necessary for the hearing on the motion to suppress through the testimony of two witnesses, Deputy Marshal Tom Woods and DEA Special Agent Mike Rehg. The government objects to the defendant's motion on the grounds that the defendant has not provided a basis for the testimony of the other requested witnesses and that to compel their testimony the defendant must comply with the regulations of the individual agency employing the proposed witnesses.

Given that the burden in the motion to suppress is on the government, and that the defendant has not provided a basis or need for the testimony of the witnesses he has requested, the Court **FINDS** that the government is under no obligation to produce the requested witnesses at the suppression hearing.

Accordingly, defendant's motion to produce witnesses is **DENIED**.

**IT IS SO ORDERED.**

**DATED: May 6, 2005.**

**s/ WILLIAM D. STIEHL**  
**DISTRICT JUDGE**